

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

LOCAL NO. 33 SHEET METAL)
WORKERS YOUNGSTOWN)
DISTRICT COLLECTION AND)
ADMINISTRATION AGENCY,)
INC.,)
)
Plaintiff,)
)
v.)
)
TRU-TEMP SALES AND SERVICE/)
GRISWOLD REFRIGERATION,)
INC.,)
)
Defendant.)
)

CASE NO. 4:08CV2903

JUDGE PETER C. ECONOMUS

MEMORANDUM OPINION
AND ORDER

The instant matter is before the Court on Plaintiff Local No. 33 Sheet Metal Workers Youngstown District Collection and Administration Agency, Inc.’s (“Plaintiff”) Motion for Default Judgment. (Dkt. # 7.)

On February 5, 2009, this case was referred to Magistrate Judge George J. Limbert pursuant to LR 72.2. On March 2, 2009, Magistrate Judge Limbert conducted a hearing regarding (1) Plaintiff's Motion for Default Judgment and (2) the issue of damages. On March 3, 2009, the Magistrate Judge issued a Report and Recommendation, in which he recommends the following:

[T]he undersigned RECOMMENDS that the Court GRANT Plaintiff's motion and enter default judgment, awarding Plaintiff the following damages: \$30,696.33

under the terms of the Collective Bargaining Agreement; \$350 filing fee; \$3,650.00 attorneys' fees; and interest at the federal rate, to be calculated from the date that the Court enters final default judgment.

(Dkt. # 11, at 2.)

Federal Rule of Civil Procedure 72(b) provides that objections to a report and recommendation must be filed within ten (10) days after service. Here, Defendant Tru-Temp Sales and Service/Griswold Refrigeration, Inc. ("Defendant") did not file objections to the Magistrate Judge's Report and Recommendation. Therefore, the Court must assume that the Defendant is satisfied with the Magistrate Judge's recommendation. Any further review by this Court would be duplicative and an inefficient use of the Court's limited resources. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff'd, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir.1981).

Therefore, the Report and Recommendation of Magistrate Judge Limbert (Dkt. # 8) is hereby **ADOPTED**. Default judgment shall be entered against the Defendant and Plaintiff shall be awarded damages in accordance with the Magistrate Judge's recommendation.

IT IS SO ORDERED.

/s/ Peter C. Economus - March 25, 2009
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE